

Filed for intro on 02/01/95  
House Bill \_\_\_\_\_  
By \_\_\_\_\_

Senate Bill No.SB0357  
By Cooper

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 33, Part 2, and Title 55, Chapter 10, Part 4, relative to the punishment for the offense of driving under the influence of an intoxicant.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by deleting from the first sentence of subsection (a)(1) the language "three hundred fifty dollars (\$350)" and substituting instead the language "five hundred dollars (\$500)".

SECTION 2. Tennessee Code Annotated, Section 55-10-403, is further amended by deleting from the second sentence of subsection (a)(1) the language "six hundred dollars (\$600)" and substituting instead the language "one thousand dollars (\$1,000)".

SECTION 3. Tennessee Code Annotated, Section 55-10-403, is further amended by deleting from the fourth sentence of subsection (a)(1) the language "one thousand one hundred dollars (\$1,100)" and substituting instead the language "one thousand five hundred dollars (\$1,500)".

SECTION 4. Tennessee Code Annotated, Section 55-10-403, is amended by deleting subsection (k) in its entirety and substituting instead the following:

(k)(1) The vehicle used in the commission of a person's second violation of Tennessee Code Annotated, Section 55-10-401, is subject to seizure and forfeiture in accordance with the procedure established in Tennessee Code Annotated, Title 40, Chapter 33, Part 2, if such vehicle is titled solely in the name of the person committing such second violation.

(2) The vehicle used in the commission of a person's third or subsequent violation of Tennessee Code Annotated, Section 55-10-401, is subject to seizure and forfeiture in accordance with the procedure established in Tennessee Code Annotated, Title 40, Chapter 33, Part 2, regardless of who owns the vehicle used to commit such third or subsequent violation.

(3) The department of safety is designated as the applicable agency, as defined by Tennessee Code Annotated, Section 40-33-202, for all forfeitures authorized by subpart (1) or (2) of this subsection.

(4) In order for the provisions of subpart (1) or (2) of this subsection to be applicable to a vehicle, at least one (1) of the required violations must occur on or after July 1, 1995.

SECTION 5. Tennessee Code Annotated, Section 40-33-201, is amended by deleting the citations "53-11-451, 57-3-411" and substituting instead the citations "53-11-451, 55-10-403(k), 57-3-411".

SECTION 6. Tennessee Code Annotated, Section 40-33-210, is amended by deleting the citations "53-11-451, 57-3-411" and substituting instead the citations "53-11-451, 55-10-403(k), 57-3-411".

SECTION 7. Tennessee Code Annotated, Section 40-33-214, is amended by deleting the citations "53-11-451, 57-3-411" and substituting instead the citations "53-11-451, 55-10-403(k), 57-3-411".

SECTION 8. This act shall take effect on July 1, 1995, the public welfare requiring it and shall apply to all applicable violations occurring on or after such date.

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